

Select Committee on Fiscal Affairs - Study of Special Treasury Funds - List of funds recommended for further action

| | Yr End Balance FY00 | Budgeted FY01 |
|---|---------------------------|------------------|
| ADMINISTRATIVE FUND | \$17,000 | \$558,482 |
| R.S. 22:250.10(D)(3) (Act 1138 of '97) | | |
| Source: Penalties, taxes, assessments | | |
| Penalties, tax and assessments received by the Department of Insurance from health insurance providers, to be used for the expenses incurred in the administration and enforcement of laws related to health insurance coverage. | | |
| <i>Note: Fund is not useful under current law and fee structure since fees are inadequate to fund activities. The Dept. of Insurance will seek legislation this session to raise the fee. If the legislation passes, then this fund will be useful and should not be repealed. If the fees are not increased, this fund should be repealed.</i> | | |
| CHARTER SCHOOL START-UP LOAN FUND | \$3,434,000 | \$1,825,000 |
| R.S. 17:4001 (Act 477 of '97) | | |
| Source: Appropriation | | |
| Appropriations for the purpose of providing interest-free loans to assist both existing and new charter schools with start-up funding and for funding the administrative costs associated with the loan program. | | |
| <i>Note: The fund balance is excessive vis a vis the demand for funding in this area. Fund would need to be amended to allow for appropriation of part of the balance for other purposes.</i> | | |
| CLASSROOM--BASED TECHNOLOGY FUND | \$1,270,000 | \$0 |
| R.S. 17:3921.2 (Act 475 of '97) | | |
| Source: Appropriation, grants, donations | | |
| Appropriations for the improvement of student learning through technology. May also be used for state-level technology infrastructure development and administrative oversight of the fund. | | |
| <i>Note: There is a balance in this fund which cannot be appropriated because it is not enough to satisfy the spending requirements for the purposes of the fund.</i> | | |
| DRUG TREATMENT FUND | \$147,000 | \$0 |
| R.S. 47:2609 (Act 90 of '90) | | |
| Source: State tax, fines | | |
| Excise tax on certain controlled substances as well as any penalties and interest revenues related thereto. Funds are appropriated 95% to the Department of Health and Hospitals for the costs of providing treatment, care, and rehabilitation of persons abusing controlled dangerous substances. Five percent of the funds are appropriated to the Department of Revenue for the cost of administration, including the cost of revenue collection, data collection and analysis, evaluation of program effectiveness, and the preparation of reports to the secretary of the Department of Revenue and to the legislature. | | |
| <i>Note: Fund is inactive. Repeal fund and appropriate balance to the Office of Addictive Disorders.</i> | | |

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| FRAUD DETECTION FUND | \$3,376,000 | \$293,309 |
| R.S. 46:114.4 (Act 689 of '90 and 773 of '92) | | |
| Source: Other | | |
| All money recovered by the Department of Social Services Fraud Detection Units from public assistance fraud, after reimbursement of the federal funding agency's share | | |
| <i>Note: Past attempts to appropriate more money for this program have been unsuccessful. Therefore this fund has consistently maintained a large balances. The legislature may increase expenditure authority in the fraud detection unit or it may appropriate a portion of the balance in this fund to the general fund for other uses.</i> | | |
| LEGAL SUPPORT FUND | \$4,009,000 | \$1,452,133 |
| R.S. 30:136.2 (Act 1293 of '95) | | |
| Source: Other | | |
| Monies awarded the state from judgments and settlements related to mineral resources, up to \$1 million per year, which deposits shall cease when the fund reaches \$4 million and recommence when the fund balance falls below \$2 million, to be used by the Dept. of Natural Resources, Office of Mineral Resources solely for the purpose of auditing and collections of the office, for paying legal and auditing costs, defraying the costs of expert witnesses. | | |
| <i>Note: Combine this fund with the Mineral Resources Audit Fund.</i> | | |
| LOUISIANA BLIND VENDORS TRUST FUND | \$1,089,000 | \$863,700 |
| R.S. 49:2651-55 (Act 1285 of '95) | | |
| Source: Other | | |
| Monies collected from certain vending machines located on state, federal, and other property pursuant to the Randolph-Sheppard Act, for enhancement of programs for persons disabled through blindness. | | |
| <i>Note: Fund has been carrying a substantial balance in relation to actual expenditures. The legislature may appropriate a portion of the balance for programs targeted at the visually disabled, or it may appropriate a portion of the balance to the general fund.</i> | | |
| LOUISIANA CONSUMER CREDIT EDUCATION FUND | \$12,000 | \$4,500 |
| R.S. 9:3555 (Act 1184 of '95) | | |
| Source: Fines | | |
| Civil penalties paid to the commissioner of financial institutions, to be used solely to finance education programs for consumers and lenders concerning the provisions of the consumer credit laws, and for reimbursement of the Office of Financial Institutions costs in enforcing these provisions. | | |
| <i>Note: Fund can be classified as inactive since very small amounts have been appropriated and the fund has a small balance. Appropriate the balance, redirect the appropriations to self-generated revenues, and repeal the fund.</i> | | |

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| LOUISIANA EMPLOYMENT OPPORTUNITY (LEO) LOAN FUND | \$532,000 | \$332,620 |
| R.S. 17:3046.5 (Act 938 of '92) Source: Other | | |
| Monies received by a loan guarantor relative to the Louisiana Employment Opportunity Loan Program, to be used solely for paying of loan defaults and administration of the loan program. LEO was a three-year pilot program begun in 1992-93 to assist qualified applicants in obtaining employment by completing an eligible employer's prescribed training course. The law authorizing this program was repealed in 1998. | | |
| <i>Note: The Fiscal Status Statement presented 1/18/01 to the JLCB cited use of the \$532,000 balance in this fund as a source of revenue to address the current year spending shortfall. It could be inferred from this that legislation may be introduced this session to repeal this fund and use that money for such purpose.</i> | | |
| LOUISIANA TAX COMMISSION EXPENSE FUND | \$511,000 | \$660,913 |
| R.S. 47:1835 (Act 184 of '93); R.S. 47:1838 (Act 90 of 1st ES '96) Source: Fees, assessments, fines, other | | |
| Assessments, fees, penalties, etc. received by the tax commission, to be used for expenses and costs of the tax commission. | | |
| <i>Note: These monies are self-generated in character, however, LTC spends them slowly, so any unspent amount would revert to the State General Fund.</i> | | |
| MINERAL RESOURCES AUDIT AND COLLECTION FUND | \$15,000 | \$600,000 |
| R.S. 30:136.3 (Act 673 of '97) Source: Other | | |
| Up to \$600,000 from judgements and settlements received by the Office of Mineral Resources within Dept. Of Natural Resources, to be used by that office for auditing and collections activities. | | |
| <i>Note: Combine this fund with the Legal Support Fund since both deal with the Office of Mineral Resources' audit and collection activities.</i> | | |
| REFUND OFFSET FUND | \$192,000 | \$50,000 |
| R.S. 47:299.20 (Act 191 of '89, 523 of '89) Source: Fee | | |
| Fees for "offset claims" related to state taxes, monies to be used to cover the expenses of the Dept. of Revenue in processing refund offset claims. State departments may apply for offset claims against individual state income tax refunds. The fees for offset claims are \$2.75 per claim. | | |
| <i>Note: Monies in this fund can be treated as self-generated revenue by the Dept. of Revenue and then spent as they are collected Unspent monies would then revert to state general fund.</i> | | |
| TEACHER SUPPLIES FUND | \$1,170,000 | \$0 |
| R.S. 17:354 (Act 473 of '97, 52 of 1st ES '98) Source: Appropriation | | |
| Appropriations for the purpose of enhancement of teaching materials, supplies, and equipment for the benefit of children enrolled in approved schools. | | |
| <i>Note: There is a balance in this fund which cannot be appropriated because it is not enough to satisfy the spending requirements for the purpose of the fund.</i> | | |

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| TELECOMMUNICATIONS FOR THE DEAF FUND | \$6,557,000 | \$1,406,102 |
| R.S. 47:1061 (Act 660 of '88, 1126 of '97) | | |
| Source: State Tax | | |
| 5 cents monthly tax on each residential and business customer telephone access line of the local exchange companies operating in Louisiana, which tax is collected by the Dept. of Revenue. Monies are available for the Louisiana Commission for the Deaf to establish and administer a statewide program to provide access to all public telecommunications services by deaf and other persons. | | |
| <i>Note: The Commission indicated that the statute should be changed to allow a broader definition of allowable uses in order for them to use up the balance. Testimony also indicated that even with the expanded purposes, that the balance would be excess to their purposes.</i> | | |
| TRAUMATIC HEAD AND SPINAL CORD TRUST FUND | \$3,731,000 | \$2,755,833 |
| R.S. 46:2633 (Act 654 of '93); R.S. 46:2635 (Act 526 of '99) | | |
| Source: Fees, Appropriations | | |
| Appropriations and fees on motor vehicle violations for DWI, reckless operation, and speeding, to be used to provide assistance to Louisiana citizens who survive traumatic head or spinal cord injuries. | | |
| <i>Note: Expenditure authority could be increased in the budget so that more of the services authorized under the statute could be provided and the balance could be used for the purposes intended.</i> | | |
| VOCATIONAL/TECHNICAL ENTERPRISE FUND | \$6,030,532 | \$19,518,882 |
| R.S. 17:2008 (Act 642 of '89) | | |
| Source: Other | | |
| Derived from the total self-generated revenues, including tuition, and ancillary fund sources of the vocational technical schools, to be distributed based on each school's prorated portion of the fund total, and monies appropriated to each school may be expended at the discretion of the school director subject to approval by the appropriate management board. | | |
| <i>Note: The fund as established is incongruent with the new status of technical colleges as institutions of higher education. The constitution provides for such entities' use of self-generated revenues, thus the fund is no longer needed to account for these monies.</i> | | |
| VOLUNTEER FIREFIGHTERS' INSURANCE PREMIUM | \$1,117,000 | \$320,000 |
| R.S. 22:1585 (Act 759 of '90, 641 of '95) | | |
| Source: State Tax | | |
| From the 2% fire insurance tax, to be used by the State Fire Marshal to purchase a group insurance policy providing medical, death and burial benefits for volunteer firefighters injured or killed in the line of duty. | | |
| <i>Note: Monies accrue to this fund via allocation from the 2% Fire Insurance Fund. This fund is not necessary. Revision of the statute for the 2% Fire Insurance Fund allocation would allow for purchase of this insurance prior to distribution of these funds and eliminate the need to maintain this separate fund. Repeal fund and appropriate balance to the 2% Fire Insurance Fund for distribution to local fire districts.</i> | | |
| | \$33,209,532 | \$30,641,474 |
| Grand Total Yr End Balance FY 00 | | Grand Total FY 01 Budgeted |
| | | 90 |
| 03/27/2001 | | 8:45:36 |